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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,538	12/07/2000	Kerry Clendinning	2551-109	9351
8791	7590	12/07/2004	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			RIMELL, SAMUEL G	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,538

Applicant(s)

CLENDINNING ET AL.

Examiner

Sam Rimell

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Perkowski (U.S. Patent 5,950,173).

Claim 1: Figures 4A1, 4A2 and 4B illustrate a relational table that form part of a database. The identifiers are the column headings, such as “Registrant’s Name” and “Product Description”. For each identified product (which is listed in each row) a plurality of product attributes are provided, such as a company name, a company product model, a trademark, and a URL where the user can obtain more information about that product. Column 25, lines 1-64 describe five different data collector mechanisms which are capable of collecting data for building the relational database. Each described data collector retrieves data from sources and normalizes the data by inserting the data into the predefined columns of the tables in FIGS. 4A1, 4A2 and 4B. The information which is collected is attribute information for a product. For example, in FIG. 4A1, the product in the third row is tooth paste and one of its several attributes is the trademark “Crest”. The collected data is transformed from raw data into one of the tables of FIGS. 4A1, 4A2 and 4B. A table is a canonical form of data.

Claim 2: The identifiers shown in the tables of FIGS 4A1, 4A2 and 4B include manufacturer’s identifiers, such as trademarks and part numbers, such as serial numbers (column marked “IP/SN”). The part numbers may be referred to as a “distributor part number”, as well as

Art Unit: 2175

a manufacturer part number by reason that the manufacturer may also be considered a distributor.

Claim 3: Features of the product are stored in a product description field as shown in FIG. 4A1, and a product specification field as shown in FIG. 4A2.

Claim 4: Each product illustrated in the tables of FIGS. 4A1, 4A2 and 4B includes an “IP/SN” which appears to be a unique product serial number.

Claim 5: The tables of FIGS 4A1, 4A2 and 4B define a relational database. As in any relational database, any row of the database is a tuple.

Claim 6: The database is controlled by SQL or formed on an SQL server (col. 12, line 45).

Claim 7: The database may be replicated in various servers (such as 11 and 12) as part of a distributed network (FIG. 2A1).

Claim 8: The distributed network may be the Internet (col. 11, line18).

Claim 9: Any server in the system of FIG. 2A1 may be read as “third party servers” since they are separate from the facilities of the clients (c1....cn) and the manufacturers who provide the data.

Claim 10: Perkowski discloses the concept of gathering product information from diverse manufacturers and loading the product data into a database, as illustrated by the tables of FIGS. 4A1, 4A2 and 4B.

For products that are already in the database, col. 25, lines 47-54 describe a procedure where product information, such as the URL, can be updated. FIG. 4A2 illustrates a column (third from left) where the updated URL information is held. A second column (first from left)

Art Unit: 2175

has the original URL. Accordingly, FIG. 4A2 establishes a canonical representation of data (a table) that includes new attribute information (updated URL) related to an alias (original URL).

For products that are not already in the database, the gathered data is formatted into the database and stored in the relational tables of FIGS. 4A1, 4A2 and 4B. This data includes product identifiers and product information laid out in relational tables.

Claim 11: See remarks for claim 9.

Claim 12: The information gathered by the system on Perkowski includes general descriptions, user ratings and reviews, general descriptions, vendors, prices and profiles (See FIGS. 4A1, 4A2 and 4B. The user can be displayed any of the information associated with a given product when a query for that product is made (col. 31, lines 5-26 and col. 31, lines 50-65). The data is transformed into a canonical representation (placed into the tables of FIGS. 4A1, 4A2, 4B).

Claim 13-15: When the user makes a query for a product, the user can be displayed a product/service list ("specifications" of col. 31, line 9); a class list ("incentives" of col. 31, line 14); and a feature list ("operations descriptions" of col. 31, line 11). The user can input selections for any one of these forms of feedback ("electronic data transactions screens" col. 31, line 14).

Claim 16: The user can be presented a picture of the product ("product simulation" col. 31, line 11).

Claim 17: The user can add information via updates (update field of FIG. 4A2).

Claim 18: The user can add ratings (product review information field of FIG. 4A2).

Claim 19: The reviews can comprise a plurality of reviews, either for one product or a collection of reviews based upon multiple products.

Claim 20: The user can be recommended complementary products (See FIG. 4A1 “Zantac/Zantac75” as an example of a product/complementary product.

Claim 21: The character string associated with the product description can be linked to unique integer identifiers, such as serial numbers (FIG. 4A1). The tables of FIGS. 4A1, 4A2 and 4B, constitute a file and client queries involve traversing the data in this file.

Claim 22: See FIG. 4A1 in particular. Token integers (IP/SN) are associated with character strings (product descriptions). A query performed for that token integer will point in the table to character strings of product information, since the correct product information will be in the same row as the token which was queried. The overall arrangement of the token integers and character strings form a look up table used to support search queries. The table may itself be defined as a single file in a server.

Remarks

Applicant's arguments and amendments have been considered.

Applicant's arguments are primarily to the effect that Perkowski is not seen to illustrate the concept of transforming data into a canonical representation, as claimed in claims 1, 10 and 12. Examiner does not agree. The Perkowski system relies upon any one of a number of data collector mechanisms which collect raw data from different sources. The raw data once collected is then transformed by reason that it is placed into an organized table having related rows and columns (a relational table). The relational table form of the data thus becomes the canonical form of data. Accordingly, Perkowski is found to teach these features.

Applicant also argues that Perkowski lacks the features of claim 22, namely a token integer corresponding to the start of a character string in a database. Examiner maintains that the

Art Unit: 2175

“IP/SN” is such a token integer. To help illustrate this point, consider for example, the third row of data in FIG. 4A1. The token integer or set of integers is “0/373/100/6”. If a conventional query were performed using the token integer as the search term, that value for the token will be found in the third row. The third row also corresponds to the location of a character string (“Tooth Paste”) related to that token. Thus, the value of the token integer in the third row corresponds to the location of a related character string (Tooth Paste) in the relational table. Examiner maintains that Perkowski teaches all the claimed features of claim 22.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 2175

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (703) 306-5626.

A handwritten signature in black ink, appearing to read 'S. Rimell', written in a cursive style.

Sam Rimell
Primary Examiner
Art Unit 2175